

109TH CONGRESS
1ST SESSION

H. R. 4213

To suspend temporarily the application of laws which would deny certain Federal benefits, entitlements, and grants to victims of Hurricane Katrina or Hurricane Rita due to convictions for certain drug crimes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2005

Mr. SCOTT of Virginia (for himself, Mr. RANGEL, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, Mr. PAUL, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. AL GREEN of Texas, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Ways and Means, Education and the Workforce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To suspend temporarily the application of laws which would deny certain Federal benefits, entitlements, and grants to victims of Hurricane Katrina or Hurricane Rita due to convictions for certain drug crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Elimination of Bar-

5 riers for Katrina Victims Act”.

1 **SEC. 2. TANF, FOOD STAMP, AND HOUSING BENEFITS.**

2 (a) TEMPORARY SUSPENSION.—During the tem-
3 porary suspension period, the provisions specified in sub-
4 section (b) shall not apply with respect to an individual
5 or family who, at the time a Gulf hurricane disaster was
6 declared to exist, resided in an area covered by the disaster
7 declaration.

8 (b) PROVISIONS SUSPENDED.—The provisions speci-
9 fied in this subsection are as follows:

10 (1) Section 115 of the Personal Responsibility
11 and Work Opportunity Reconciliation Act of 1996,
12 but only to the extent that a conviction referred to
13 in such section is for activity that occurred before
14 the disaster declaration for the Gulf hurricane dis-
15 aster.

16 (2) Subsection (f) of section 16 of the United
17 States Housing Act of 1937 (42 U.S.C. 1437n(f))
18 (relating to ineligibility of individuals convicted of
19 certain drug crimes), but only to the extent that a
20 conviction referred to in such subsection is for activ-
21 ity occurring before the disaster declaration for the
22 Gulf hurricane disaster.

23 (3) Subsection (a) of section 576 of the Quality
24 Housing and Work Responsibility Act of 1998 (42
25 U.S.C. 13661(a)) (relating to ineligibility because of
26 eviction for drug crimes), but only to the extent that

1 the drug-related criminal activity referred to in such
2 subsection occurred before the disaster declaration
3 for the Gulf hurricane disaster.

4 (4) Subsection (c) of section 576 of the Quality
5 Housing and Work Responsibility Act of 1998 (42
6 U.S.C. 13661(c)) (relating to authority to deny ad-
7 missions to criminal offenders), but only to the ex-
8 tent that—

9 (A) such subsection applies to drug-related
10 criminal activity; and

11 (B) the drug-related criminal activity re-
12 ferred to in such subsection occurred before the
13 disaster declaration for the Gulf hurricane dis-
14 aster.

15 **SEC. 3. HIGHER EDUCATION BENEFITS.**

16 (a) IN GENERAL.—During the temporary suspension
17 period, section 484(r) of the Higher Education Act of
18 1965 (20 U.S.C. 1091(r)) shall not apply with respect to
19 any individual who, at the time a Gulf hurricane disaster
20 was declared to exist—

21 (1) resided in an area covered by the disaster
22 declaration, or was a dependent student whose fam-
23 ily resided in such an area; or

24 (2) was enrolled or accepted for enrollment at
25 an institution of higher education (as defined in sec-

1 tion 102 of such Act) located in an area covered by
2 the disaster declaration.

3 (b) LIMITATION.—Subsection (a) shall only apply to
4 the extent that a conviction referred to in section 484(r)
5 of the Higher Education Act of 1965 (20 U.S.C. 1091(r))
6 was for an offense that occurred before the disaster dec-
7 laration for the Gulf hurricane disaster.

8 **SEC. 4. DEFINITIONS.**

9 In this Act:

10 (1) TEMPORARY SUSPENSION PERIOD.—The
11 term “temporary suspension period” means the 3-
12 year period beginning on the date on which the
13 President declared a major disaster to exist in ac-
14 cordance with section 401 of the Robert T. Stafford
15 Disaster Relief and Emergency Assistance Act (42
16 U.S.C. 5170), that was caused by Hurricane
17 Katrina.

18 (2) GULF HURRICANE DISASTER.—The term
19 “Gulf hurricane disaster” means a major disaster
20 that the President declared to exist, in accordance
21 with section 401 of the Robert T. Stafford Disaster
22 Relief and Emergency Assistance Act (42 U.S.C.
23 5170), and that was caused by Hurricane Katrina or
24 Hurricane Rita.

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